IN THE HIGH COURT OF JUDICATURE AT BOMBAY

ORDINARY ORIGINAL CIVIL JURISDICTION

WRIT PETITION (L) NO.842 OF 2005

Silver Arch Builders & Promoters. .. Petitioners
v/s.
Municipal Corporation of Gr.Mumbai & anr. .. .. Respondents

Mr.Yaadunath Chaudhary for petitioners.

Ms.A.K. Savla for res.Nos.1 & 2.

Mr.Pradeep Jadhav, AGP for res.No.3.

CORAM : H.L. GOKHALE &
S.C.DHARMADHKARI, JJ.

DATE : 20TH APRIL 2005

P.C. :

1. Heard Mr.Chaudhary in support of the petition. The petitioners-developers seek to challenge the ratable value and the property taxes being charged by the 1st respondent-Municipal Corporation. Ms.Savla appearing for respondent Nos.1 and 2 points out that the Municipal Corporation has already given a concession considering that some of the buildings are rehabilitation buildings. The remedy for the petitioners is to file an appeal under Section 217 of the Mumbai Municipal Corporation Act.

2. Mr.Chaudhary states that the petitioners have deposited Rs.3,30,000/- with the Municipal Corporation, as directed earlier. He further states that the remaining amount will be deposited within two weeks hereafter. When the petitioners file an appeal in the Court of Small Causes, they will apply for condonation of delay. If the amounts are deposited as assured above, the Municipal Corporation will take a considerate view while dealing with the application for condonation of delay. Petition is disposed of.

(H.L. GOKHALE, J.)

(S.C.DHARMADHIKARI, J.)